

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

HOUSE OF THALLER, INC., AND)
ACUITY, A MUTUAL INSURANCE)
COMPANY a/s/o HOUSE OF THALLER,)
INC.,)

Plaintiffs)

vs.)

HANOVER FOODS CORPORATION,)

Defendant.)

No.: 3:20-cv-00243-TAV-HBG
District Judge Thomas A. Varlan

JOINT REPORT OF 26(f) PLANNING CONFERENCE

The Parties, through their attorneys and pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, submit the following Report and Proposed Discovery Plan for the Court's consideration:

1. Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the parties' attorneys held a discovery planning meeting by telephone on January 11, 2021.

2. As a result of the discovery planning meeting, it was agreed as follows:

a) The parties shall make all initial disclosures required by Rule 26(a)(1) of the Federal Rules of Civil Procedure within 30 days of the date of the discovery planning meeting held on January 11, 2021. Pursuant to Local Rule LR5.3, these initial disclosures will not be filed with the Court unless otherwise ordered.

b) The parties shall disclose expert testimony in accordance with Rule 26(a)(2) of the Federal Rules of Civil Procedure on the date established in the Court's scheduling order.

Pursuant to Local Rule LR5.3, these expert disclosures will not be filed with the Court unless otherwise ordered.

c) The parties shall make all pretrial disclosures required by Rule 26(a)(3) of the Federal Rules of Civil Procedure on the date established in the Court's scheduling order. Pursuant to the Federal Rules of Civil Procedure, these pretrial disclosures will be timely filed with the Court.

d) The parties shall seasonably update their initial, expert, and pretrial disclosures from time to time as additional information is gathered.

3. The parties further agree that any of them may submit interrogatories, requests for admission, and requests for production at any time after the date that this proposed discovery plan is filed with the Court.

4. The parties agree that depositions may commence at any time after all parties have exchanged their Rule 26(a)(1) initial disclosures. The parties shall make every reasonable effort to arrange depositions by agreement, and shall not resort to scheduling depositions by notice unless absolutely necessary.

5. Except as provided in this discovery plan or any scheduling order entered by the Court, the parties do not believe that any changes should be made in the timing, form, or requirements for disclosures under Rule 26(a) of the Federal Rules of Civil Procedure or local rules, nor do the parties believe that any limitations should be placed on discovery at this time, other than the limitations already imposed by the Federal Rules of Civil Procedure or local rules.

6. At present, the parties believe that discovery will be needed on all issues raised in Plaintiff's Complaint and Defendant's Answer.

7. The parties agree that all discovery shall be completed on the date established in

the Court's scheduling order.

8. The parties believe that, in regard to all other matters, the Federal Rules of Civil Procedure, the Court's local rules, and the Court's normal procedures shall be sufficient for the preparation and trial of this case.

Respectfully submitted this 12th day of January, 2021.

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CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2021, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

/s/ T. Mitchell Panter
T. Mitchell Panter (BPR #031744)